

**IN THE SUPERIOR COURT OF ARIZONA  
IN AND FOR THE COUNTY OF MARICOPA**

IN THE MATTER OF ESTABLISHING )	
GENERAL ORDERS AND POLICIES )	
GOVERNING THE USE OF DIGITAL )	
RECORDING TECHNOLOGY TO )	ADMINISTRATIVE ORDER
MAKE THE OFFICIAL RECORD OF )	No. 2002-055
TRIAL COURT PROCEEDINGS )	
IN MARICOPA COUNTY )	
_____ )	

The Superior Court of Arizona in Maricopa County is a court of record. The Court currently employs two digital recording technologies to make the official record of proceedings in selected courtrooms and for selected judicial calendars. One is a digital audio recording system (FTR) and the other is a digital video recording system (JAVS). A.R.S. §38-424 provides that the Court may use audio or video recording systems to make the official record of proceedings unless a party requests a court reporter. Since September 2001, four separate local Administrative Orders have been promulgated. Additionally, Supreme Court Administrative Order 2001-118 was adopted for the Superior Court in Maricopa County. Each addressed particular aspects of policy and procedure associated with the use of digital electronic recording technology. To avoid confusion and to promote administrative consistency, and blend all five administrative orders in a complementary fashion, the following is promulgated.

IT IS ORDERED:

That the provisions of Supreme Court Administrative Order 2001-118 and Superior Court Administrative Orders 2001-058, 2001-073, 2001-076 and 2002-020 are hereby incorporated into this order, and are attached.

IT IS FURTHER ORDERED:

1. Until applicable statutes and rules provide otherwise, electronic recordings of court proceedings, both compact disks (CDs) and video tapes, shall be treated in the same manner as court reporter notes and shall be subject to the same periods of retention.
2. CDs and / or videotapes of proceedings in the civil, family and probate/mental health departments shall initially be stored in each division using a storage cabinet or shelving to be provided by the Court Administrator. The Deputy Clerk or other court personnel designated by the Presiding Judge to operate and monitor the court's recording system shall be responsible for marking and storing the CDs and / or videotapes of each day's proceedings.
3. CDs of juvenile court proceedings shall be delivered to the juvenile court administration operations office of the facility on a scheduled basis. Juvenile

Court Administration will be responsible for the correct marking and storage of CDs in the appropriate area of each juvenile facility.

4. Court Administration shall provide auxiliary storage for electronic records to supplement division storage at an accessible location for the public and staff in each court facility where digital recording technology is employed. The Court Administrator shall also provide staffing and equipment for the storage facilities. CDs and videotapes in excess of two years old shall be delivered to the Clerk of the Superior Court for long term storage pursuant to Local Rule 1.10. Pursuant to Local Rule 1.10 electronic records of civil and probate proceedings except writs of habeas corpus in storage for more than seven years shall be destroyed by the Clerk. Electronic records of habeas corpus, juvenile and criminal proceedings shall be stored indefinitely. Electronic records shall be transferred in accordance with the following schedule:

<b>STORAGE TERM</b>	<b>REPOSITORY</b>
Short Term (up to 3 months)	Division
Mid-Term (+ 3 months to 2 years)	Court Administration Storage Center
Long Term (over 2 years)	Clerk of Court

5. The Court Administrator shall investigate the feasibility of transmitting digitally recorded proceedings to transcribers via electronic means. The investigation shall take into consideration the security and integrity of the record, cost / benefit, customer service and timeliness of transcript production. A report shall be submitted to the E-Court Records Workgroup for review and final recommendation to the Presiding Judge within one year.

Dated this 19<sup>th</sup> day of June, 2002

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Colin F. Campbell  
Presiding Judge

Original: Clerk of the Superior Court

Copies: Departmental Presiding Judges  
Gordon M. Griller, Court Administrator  
Marcus Reinkensmeyer, Chief Deputy Court Administrator  
Michael Jeanes, Clerk of the Superior Court  
E-Courtroom Judges  
FTR Courtroom Judges  
Ken Crenshaw, Electronic Records Custodian, Court Administration